

**HIGH COURT OF UTTARAKHAND**  
**NAINITAL**

**NOTIFICATION**

No. 157 /UHC/Admn.-B,

Dated : August 27, 2009

The Uttarakhand High Court Right to Information Rules, 2009.

In exercise of the powers conferred under section 28 (1) of the Right to Information Act, 2005, and all enabling provisions in that behalf, the Chief Justice of Uttarakhand High Court at Nainital makes the following Rules for carrying out the provisions of the Right to Information Act, 2005.

1. **Short title, commencement and application:**

- (i) These Rules shall be called the Uttarakhand High Court Right to information Rules, 2009.
- (ii) They shall come into force with effect from the date of publication in the official Gazette.
- (iii) These Rules shall be applicable to the High Court of Uttarakhand and all the subordinate courts under its administrative control.

2. **Definitions:** In these Rules, unless the context otherwise requires:

- (a) 'Act' means the Right to Information Act, 2005.



- (b) 'Chief Justice' means the Chief Justice of the High Court of Uttarakhand.
- (c) 'State Public Information Officer' means such Officer or Authority of the High Court as would be designated by the Chief Justice by a separate order.
- (d) 'State Assistant Public Information Officer' means the Senior Administrative Officer/ Sadar Munsarim/ Munsarim as the case may be as designated by the Chief Justice under Section 5(2) of the Act.
- (e) 'Subordinate Courts' means and includes all Civil, Criminal and other courts in the State of Uttarakhand, which are subordinate to, or under the control and supervision of the Chief Justice.

**3. Request for furnishing information:**

Any request for obtaining information shall be made in the prescribed form accompanied with a fee of Rs.10/- paid by way of adhesive Court fee stamps and the complete address of the applicant for communication. The application for information shall be submitted to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be in the normal office working hours

**4. Request for inspection of record:**

Application for inspection of the record shall be made in the prescribed form. The fee for inspection of documents



or records shall be Rs.20/- per document for one hour or part of an hour by way of adhesive court fee stamp.

5. **Procedure regarding inspection of documents:-**

The applicant shall not cause any hindrance to the office work and shall cooperate with the staff and complete the inspection as soon as possible.

The applicant shall abide the rules of inspection and shall not use or possess pen, ink or eraser with him.

The Public Information Officer concerned shall have the right to fix the time and date of the inspection according to administrative convenience and his decision shall be final.

6. **Information shall not be provided in the form of certified copies:**

Information shall be provided in question answer form and it shall not be provided in the form of certified copies/Xerox copies.

These rules shall not apply for obtaining copies and information regarding the judicial record and provisions of supplying certified copies under any other rule.

7. **Register to be maintained:**

The State Public Information Officer/State Assistant Public Information Officer shall maintain a register in the format as per the appendix and other records as would required from time to time.


8. **Appeal:** Such Authority or Officer as may be designated by the Chief Justice by a separate order shall



be the Officer to whom an appeal can be preferred under section 19 (1) of the Act, against the order passed by the State Public Information Officer.

Appeal under section 19(1) of the Act, shall be preferred against the order passed by the State Assistant Public Information Officer before the Chief Judicial Magistrate or any other judicial officer nominated by the Chief Justice, of the concerned Judgeship.

By order of the Court

  
( Ravindra Maithani)  
Registrar General

**Appendix****Register of Information**

Sl. No.	Date of application	Name and address of the party	Purpose of request	Fee paid	Date & time of requisition of record	Date & time of information furnished or inspection made	Date and time of return of record	Signature of the applicant	Remarks
1	2	3	4	5	6	7	8	9	10





Application Form for Inspection of record.

Court fee stamp

To

The State Public Information Officer/State Assistant  
Public Information Officer.....

Please grant me permission to inspect the documents  
named in the following list, for which I tender herewith the  
requisite stamp of Rs.....

Full description of document of which the inspection is wanted.	Name of the Office or officer/official in whose possession the document is lying.	Object for which inspection is required or ground upon which the application should be granted.

Dated:

Signature and Full address  
of the applicant



### Form of Application for Information

To

The State Public Information Officer/  
The State Assistant Information Officer

.....

Please furnish the following information for which the requisite fees of Rs.....is being paid:

Full particular of the Department/Section to which the document is concerned regarding which the information is required.	Full particular of the document or record regarding which the information sought.	Object for which the information is required.
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Dated:

Signature and Full  
address of the Applicant

.....

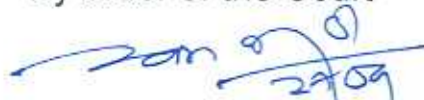
Brief description of information sought.	Information furnished.
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Dated:

Signature of the State Public  
Information Officer

Seal

By order of the Court

  
 ( Ravindra Maithani )  
 Registrar General

**HIGH COURT OF UTTARAKHAND NAINITAL**

**NOTIFICATION**

No. 264 /UHC/Admin. B,

Dated: March 29, 2010  
30,

**The Uttarakhand High Court Right to Information Rules, 2009.**

In exercise of the powers conferred under section 28 (1) of the Right to Information Act, 2005, and all enabling provisions in that behalf, the Chief Justice of Uttarakhand High Court at Nainital makes the following amendments in the Uttarakhand High Court Right to Information Rules, 2009.

**Amendments to Rule 2**

1. In rule 2 (c)-
  - (a) In first line, after **"State Public Information Officer"** insert **"with reference to High Court"**
  - (b) At the end of the rule, after **"order"** insert **"and with reference to Subordinate Court means such officer or authority as designated by the District Judge by a separate order"**
2. For rule 2 (d) substitute-
  - (a) **"State Assistant Public Information Officer with reference to Subordinate Court means the officer appointed at Outlying Courts by the District Judge to discharge function under Section 5(2)".**
3. In rule 2 (e)-
  - (a) at the end of the rule, for **"Chief Justice"** substitute **"High Court"**
4. In rule 2, after paragraph (e) add-
  - (f) **"Appellate Authority' with reference to High Court means such officer as may be designated by the Chief Justice by a separate order and the Appellate Authority with reference to subordinate courts shall be the District Judge or any judicial officer, as designated by District Judge by a separate order".**

**Amendments to Rule 3-**

5. In rule 3-
  - (a) Renumber existing rule 3 as rule 3 (1)
  - (b) In second line, for **"paid by way of"** substitute **"payable through cash, draft or by way of postal order or"**
  - (c) In the fifth line, after **"or"** insert **"to"**
  - (d) After the sub rule 3 (1) of the rule add sub rule 3(2) & 3(3) as below:



- (2) "Where information is available in electronic form and is to be supplied or asked in electronic form e.g. floppy, CD etc. then the applicant shall be charged a sum of Rs. 50/- per floppy/CD through cash, draft or by way of postal order or adhesive court fee stamp.
- (3) No fees and charges shall be payable by a person belonging to below poverty line (BPL), provided that such person encloses with the application a certified copy of the below poverty line card or a certificate issued in that behalf by the concerned District Magistrate or the Sub Divisional Officer of the concerned sub division."

**Amendment to Rule 4**

6. In Rule 4

- (a) In the last line, after the word 'hour' delete the words 'by way of' and insert 'payable through cash, draft or by way of postal order or', before the word 'adhesive.
- (b) In the last of the rule add-

**"Provided that the State Public Information Officer shall not entertain any application for inspection of any judicial record which can be inspected under the provisions of Rules of the Court, 1952 and General Rule (Civil/Criminal), as the case may be."**

**Amendment to Rule 5**

7. In Rule 5

- (a) In the beginning of third paragraph after the word 'The' insert the word 'State'

**Amendment to Rule 6**

8. For rule 6 substitute-

**"Information shall be provided in the form of certified copies**

- (1) Information shall be provided in question answer form certified to be true by the State Public Information Officer and documents or records shall be provided in the form of certified copies, certified to be true by the State Public Information Officer as per the request of the applicant.
- (2) State Public Information Officer shall not be liable to provide any information, which can be obtained under the provision of the Rules of the Court, 1952 in case of High Court and under General Rule (Civil/Criminal) in case of subordinate Courts. Such information may be obtained by adhering to the prescribed procedure and payment of fees prescribed in the Rules of the Court, 1952, or General Rules (Civil/Criminal), as the case may be".

## **Amendment to Rule 8**

9. For rule 8 substitute-

### **"Appeal**

**An appeal under Section 19 of the Act may be preferred to the Appellate Authority."**

## **Amendments to Appendix**

10. In the Appendix-

- (a) In the proforma for 'application form for inspection of record' the words 'Court fee stamp' are deleted and in place thereof the words 'Court Fee' be inserted. In the second line of the application, for the word 'stamp' substitute 'fee' and the last column of the application in tabular form is deleted.
- (b) The last column of the 'form of application for inspection' in tabular form is deleted.

These amendments will come into force with immediate effect.

**By order of the Court**

**Sd/-**

**(Ravindra Maithani)**  
**Registrar General**

Copy forwarded for information and necessary action to:

No. 1126/UHC/Admin-B.

Dated: 30.3.2010

1. Secretary Law-cum-L.R., Government of Uttarakhand, Dehradun.
2. P.P.S. to Hon'ble the Chief Justice.
3. P.S. to Hon'ble Judges of the Court with the request to place the notification before Hon'ble Judges.
4. Director, Printing & Stationary, Government Press Roorkee for publication of the notification in the next official Gazette of the Uttarakhand.
5. Registrar (Judicial)/ Registrar (Inspection) of the Court.
6. Joint Registrar of the Court.
7. Deputy Registrars/ Assistant Registrar/Section Officer of the Court.
8. Head Bench Secretary with the request to circulate the notification to all the Bench Secretary.
9. Librarian with the direction that the above amendment be incorporated in all the relevant books immediately.
10. All the District Judges of the State Judiciary
11. All the Judge, Family Courts, Uttarakhand.
12. OIC NIC with the direction that the above amendment be uploaded in the official website.
13. Guard file.

  
**Assistant Registrar**